

VZCZCXYZ0015  
RR RUEHWEB

DE RUEHVI #1788 3391026  
ZNR UUUUU ZZH (CCY AD066D00 MSI0626-695)  
R 041026Z DEC 08 ZDK  
FM AMEMBASSY VIENNA  
TO RUEHC/SECSTATE WASHDC 1624  
INFO RUCNMEM/EU MEMBER STATES

UNCLAS VIENNA 001788

SENSITIVE  
SIPDIS

STATE FOR EUR/CE

C O R R E C T E D COPY CAPTION  
E.O. 12958: N/A

TAGS: [PREL](#) [PGOV](#) [PHUM](#) [PTER](#) [AU](#)

SUBJECT: AUSTRIA'S NEW CABINET: JUSTICE MINISTER BANDION-ORTNER

¶1. (U) The following is a profile of Claudia Bandion-Ortner, who has been named Justice Minister in the new GOA cabinet.

#### Experience

-----

¶2. (U) Bandion-Ortner was born November 30, 1966 in Graz/Styria. She grew up in the town of Tamsweg in Salzburg Province, where she was an honors student at the local high school. Bandion-Ortner holds a doctorate in law from the University of Graz. Subsequent to her studies and court internship, she became a judge at a Vienna criminal court, specializing in economic crime cases. She also served as employee representative of the judges' association - a union-like lobbying group for judges within the Justice Ministry.

¶3. (U) In 1999, Bandion-Ortner gained nationwide attention for presiding over a high-profile court case dealing with the bankruptcy of an SPO-affiliated supermarket chain and corruption charges against its CEO. In 2007, she once again was at the center of national attention as presiding judge in the jury trial of top managers of the formerly SPO-owned Austrian bank BAWAG on charges of embezzlement and accounting fraud.

¶4. (U) Although nominated by OVP Chairman and Vice Chancellor Josef Proell on November 24, 2008 to his government team, Bandion-Ortner quickly stressed that she would work as an independent member in the new SPO-OVP coalition government and that she was not a member of any political party. (Due to illness and the need to complete the verdict on the BAWAG trial, Science Minister Johannes Hahn will temporarily fill the Justice Minister's slot until Bandion-Ortner can take over.)

#### Family/Personal

-----

¶5. (U) Bandion-Ortner comes from a family of judges and lawyers. She married Lower Austrian police investigator Andreas Bandion in ¶2005. The couple has a 5-year-old son. She has frequently appeared at society events. She is also known for her comprehensive collection of stylish eyeglasses, for which she received an award from the Vienna Optometrists Association in 2008.

#### Comment: Terrorism, Organized Crime

-----

¶6. (SBU) Based on the new GOA program, Bandion-Ortner will be tasked with implementing a series of legal measures related to organized crime and terrorism. For example, her ministry will have a key role in formulating legislation criminalizing "hate speech" and "participation in terrorism camps." Bandion-Ortner inherits structural challenges in the Austrian justice system, such as a shortage of prison space and staff, a rising backlog of unsolved court cases, and a chronically insufficient number of state prosecutors. Given Austrians' high sensitivity to data protection and privacy rights, the new Minister will also have to tread carefully when authorizing online searches of computers in cases

involving terrorism or organized crime.

GIRARD-DICARLO